

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: S-A O. Wilkinson	Team: Team # 1	CCRB Case #: 200400523	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Monday, 01/19/2004 2:30 AM	Location of Incident: Throop Avenue and Willoughby Avenue	Precinct: 79	18 Mo. SOL 7/19/2005	EO SOL 7/19/2005	
Date/Time CV Reported Mon, 01/19/2004 7:27 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Mon, 01/19/2004 7:27 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Keith Chatterton	07323	925067	079 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Alain Guerra	00729	930283	079 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Keith Chatterton	Discourtesy: PO Keith Chatterton spoke rudely to § 87(2)(b)	

Synopsis

On January 19, 2004 between 2:30AM and 4:00AM, § 87(2)(b) [REDACTED] complainant, had left his friend, § 87(2)(b) [REDACTED]'s, home and drove on Throop Avenue in Brooklyn. The light was red when § 87(2)(b) [REDACTED] approached Willoughby Avenue, stopped, and slid into the middle of the intersection due to the ice and snow on the ground. Three buildings away from § 87(2)(b) [REDACTED]'s car, a marked 79th Precinct police vehicle was driving perpendicular to the intersection of Willoughby and Throop Avenues. At that point, § 87(2)(b) [REDACTED] continued driving and pulled to the side at the next red light. § 87(2)(b) [REDACTED] pulled aside because he knew he was going to be stopped by the officers.

The police vehicle drove towards § 87(2)(b)'s car with the siren on although he had already pulled aside. Two officers, who Department records identified as PO Keith Chatterton and PO Alain Guerra of the 79th Precinct, got out of their vehicle, and walked towards § 87(2)(b)'s car. PO Chatterton approached the driver's side window and PO Guerra was at the passenger's side bumper. § 87(2)(b) could barely speak and was in shock which he displayed by laughing nervously.

PO Chatterton said, “You almost killed me. You almost killed me. You just ran the light.” § 87(2)(b) tried to explain that his car slid on the ice and snow. PO Chatterton disregarded the explanation and stated, “You almost killed me. What do think this is a game? You think this is a joke? You really think this is funny. You almost killed me.” § 87(2)(b) again tried to explain what happened and admitted that he had almost gone through the light, and PO Chatterton stated, “You almost killed me. You almost killed me. Let me get your driver’s license, registration, and insurance card.”

Approximately thirty to forty seconds had gone by before § 87(2)(b) handed PO Chatterton his North Carolina driver's license along with the other car documents. § 87(2)(b) later realized that one of the documents he had provided had expired. PO Chatterton took the documents, walked away, and stated, "Wait there, sir. Don't say anymore." The officers walked away and PO Chatterton reentered the police vehicle. Ten to twelve minutes later PO Chatterton approached § 87(2)(b)'s driver's side window and handed him the car documents along with three summonses § 87(2)(b). § 87(2)(b) tried to give PO Chatterton his valid registration or insurance card and questioned the § 87(2)(b) summons.

§ 87(2)(b) now calm, apologized for the incident. It was now 4:00AM as § 87(2)(b) requested that PO Chatterton explain the § 87(2)(b) summons. PO Chatterton stated, "I don't have to explain it. You almost killed me." PO Chatterton walked away as § 87(2)(b) called him back to his car and PO Chatterton stated, "No, sir. Go. Go away. You almost killed me." As the officers drove past § 87(2)(b)'s car, he high beamed them. PO Chatterton stopped and stated, "Go to court. You will find out in court. If you were in North Carolina, you would not have done this neither."

A few minutes later, § 87(2)(b) drove to the 79th Precinct to file a complaint. § 87(2)(b) felt that PO Chatterton spoke to him in a nasty and rude manner.

§ 87(2)(b) obtained PO Chatterton's identification from summons number § 87(2)(b). The 79th Precinct tour 1 roll call received on April 16, 2004 identified PO Chatterton and PO Guerra assigned to sector "DEF" on the date of occurrence. § 87(2)(b) was contacted by telephone on February 24, 2004 and offered mediation. § 87(2)(b)'s acceptance of mediation was recorded on tape 200400523 Side A Index 5 and was reviewed by Team Manager Cecelia Holloway.

On May 4, 2004, § 87(2)(b)'s case was returned by the mediation department for a full investigation because PO Chatterton's case history was unsuitable for mediation. On May 5, 2004, May 6, 2004, and May 10, 2004, § 87(2)(b) was contacted by telephone and messages were left for him. Additionally pages were left on his cellular phone numbers, with no response.

§ 87(2)(b) failed to schedule an initial interview appointment. Three attempts were also made by mail to contact § 87(2)(b). Each of these contact attempts yielded negative results. Presently, § 87(2)(b) is not incarcerated § 87(2)(g).

Investigator:

Date: 05-27-04

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: